

P14810

**STATE OF CALIFORNIA
CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY
STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS**

ORDER

Application 20625 Permit 14810

**ORDER APPROVING A NEW DEVELOPMENT SCHEDULE
AND AMENDING THE PERMIT**

WHEREAS:

1. Permit 14810 was issued to City of St. Helena on August 3, 1965 pursuant to Application 20625.
2. A petition for an extension of time within which to develop the project and apply the water to the proposed use was filed with the State Water Resources Control Board (SWRCB) on October 1, 1999.
3. The permittee has proceeded with diligence and good cause has been shown for extension of time. Public notice of the request for extension of time was issued on December 17, 1999 and no protests were received.
4. The SWRCB has determined that the petition for extension of time does not constitute the initiation of a new right nor operate to the injury of any other lawful user of water.
5. Fish, wildlife, and plant species have been or may be listed under the federal Endangered Species Act and/or the California Endangered Species Act. A term should be placed in the permit making the permittee aware of possible obligations resulting from these acts.

NOW, THEREFORE, IT IS ORDERED THAT:

1. Condition 5 of the permit be amended to read:

Complete application of the water to the authorized use shall be made by December 31, 2010.

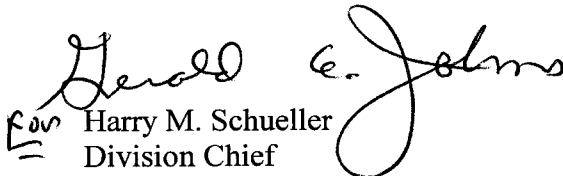
(0000008)

2. An endangered Species term shall be added to read as follows:

This permit does not authorize any act which results in the taking of a threatened or endangered species or any act which is now prohibited, or becomes prohibited in the future, under either the California Endangered Species Act (Fish and Game Code sections 2050 to 2097) or the federal Endangered Species Act (16 U.S.C.A. sections 1531 to 1544). If a "take" will result from any act authorized under this water right, the permittee shall obtain authorization for an incidental take prior to construction or operation of the project. Permittee shall be responsible for meeting all requirements of the applicable Endangered Species Act for the project authorized under this permit.

(0000014)

Dated: 5/3/2000


For Harry M. Schueller
Division Chief

STATE OF CALIFORNIA
STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS

ORDER

APPLICATION 20625

PERMIT 14810

LICENSE _____

ORDER ADDING TERMS FOR FISH BYPASS FLOWS,
APPROVING A NEW DEVELOPMENT SCHEDULE,
AND AMENDING THE PERMIT

WHEREAS:

1. Permit 14810 was issued to City of Helena on August 3, 1965 pursuant to Applciation 20625.
2. A petition for an extension of time within which to develop the project and apply the water to the proposed use has been filed with the State Water Resources Control Board.
3. The permittee has proceeded with diligence and good cause has been shown for the extension of time.
4. Permit Condition 7 pertaining to the continuing authority of the Board should be updated to conform to Standard Permit Term 12 as contained in Section 780(a), Title 23 of the California Code of Regulations.
5. The California Department of Fish and Game and the permittee has agreed to the inclusion of four new terms to Permit 11816 relative to compliance with the fish bypass flows below Bell Canyon Dam in Bell Creek.

NOW, THEREFORE, IT IS ORDERED THAT:

1. Condition 7 of this permit be ameded to read:

Pursuant to California Water Code Sections 100 and 275, and the common law public trust doctrine, all rights and privileges under this permit and under any license issued pursuant thereto, including method of diversion, method of use, and quantity of water diverted, are subject to the continuing authority of the State Water Resources Control Board in accordance with law and in the interest of the public welfare to protect public trust uses and to prevent waste, unreasonable use, unreasonable method of use or unreasonable method of diversion of said water.

The continuing authority of the Board may be exercised by imposing specific requirements over and above those contained in this permit with a view to eliminating waste of water and to

meeting the reasonable water requirements of permittee without unreasonable draft on the source. Permittee may be required to implement a water conservation plan, features of which may include but not necessarily be limited to: (1) reusing or reclaiming the water allocated; (2) using water reclaimed by another entity instead of all or part of the water allocated; (3) restricting diversions so as to eliminate agricultural tailwater or to reduce return flow; (4) suppressing evaporation losses from water surfaces; (5) controlling phreatophytic growth; and (6) installing, maintaining, and operating efficient water measuring devices to assure compliance with the quantity limitations of this permit and to determine accurately water use as against reasonable water requirements for the authorized project. No action will be taken pursuant to this paragraph unless the Board determines, after notice to affected parties and opportunity for hearing, that such specific requirements are physically and financially feasible and are appropriate to the particular situation.

The continuing authority of the Board also may be exercised by imposing further limitations on the diversion and use of water by the permittee in order to protect public trust uses. No action will be taken pursuant to this paragraph unless the Board determines, after notice to affected parties and opportunity for hearing, that such action is consistent with California Constitution Article X, Section 2; is consistent with the public interest and is necessary to preserve or restore the uses protected by the public trust.

(0000012)

2. Condition 11 of this permit be replaced by a new condition consisting of the following four terms relative to fish bypass flows in Bell Creek:
 - (1) The Board retains jurisdiction to include a term providing for minimum flows below the reservoir for the maintenance of fishlife. Upon request by the Board, Fish and Game shall submit additional information to show that a flow of less than 5 cubic feet per second (cfs) would not be sufficient to maintain fishlife in the creek. (0400600)
 - (2) The City shall collect hydrologic data necessary for the studies. Data collection activities are presently underway by the City. The actual study cannot commence until such time as sufficient data have been collected. The required studies shall be completed by the City by April 1, 1993. Copies of the completed studies along with the basic hydrologic data shall be made available to the Board and Fish and Game.
 - (3) Short term releases will be made from Bell Canyon to enable Fish and Game to conduct their studies also required by Term 1 (as shown above) as follows:

Controlled releases of up to 10 cfs, not to exceed a total of 100 acre-feet during any seasonal year (October 1 through September 30) within the term of this order. Further, if Bell Canyon does not spill, the City reserves the right to forego such releases entirely or in part, depending upon the available supply and the current demand. Data collected by Fish and Game shall be made available to the City. Fish and Game shall implement the provisions of this paragraph by giving written request to the Director of Public Works of the City at least two weeks in advance of the time for controlled releases specifying the flow, quantities, and times of the releases.

- (4) For the protection and preservation of fishlife, diversions to storage pursuant to Permits 9157 and 14810 shall be subject to the following schedule for minimum releases at the point of diversion, also depending upon the available supply and current demand:

(a) December 1 through January 31, bypass a minimum of 4.0 cfs or the total flow of the stream, whichever is less,

(b) From February 1 through February 29, bypass a minimum of 2.0 cfs or the total flow of the stream, whichever is less, and

(c) From March 1 through April 15, bypass a minimum of 1.0 cfs or the total flow of the stream, whichever is less.

(0140060)

3. Condition 12 of the permit be amended to read:

COMPLETE APPLICATION OF THE
WATER TO THE PROPOSED USE
SHALL BE MADE ON OR BEFORE

December 31, 1998

(0000009)

Dated:

SEPTEMBER 07 1989


Walter G. Pettit, Chief
Division of Water Rights

Honorable Pete Bontadelli
Director
Department of Fish and Game
1416 Ninth Street, 12th Floor
Sacramento, CA 95814

Walter G. Pettit, Chief

PERMITS 9157 AND 14810 (APPLICATIONS 11816 AND 20625) BELL CREEK IN NAPA COUNTY

On May 27, 1975, the Department of Fish and Game and the City of St. Helena entered into an INTERIM AGREEMENT FOR RELEASE CONDITIONS for release of water from Bell Canyon Dam. The agreement was for a period of five years and expired May 27, 1980.

Based on this agreement, the Board amended the permits and included a permit term which reads as follows:

"The Board retains jurisdiction to include a term providing for minimum flows below the reservoir for the maintenance of fishlife. The permittee shall conform to an interim agreement concerning releases for fishlife dated May 27, 1975 with the Department of Fish and Game. Upon request by the Board, the Department of Fish and Game shall submit additional information to support a determination of minimum flows that would be sufficient to maintain fishlife in the creek. Confirmation of use under this permit will not be completed until after completion of the operational studies and an appropriate final schedule of minimum flows for fish maintenance is included in this permit."

We are requesting that you submit the additional information referred to in the foregoing term so that it may be included in the permits as to bypass flows. Attached are copies of the permits.

We note that it has been eight years since the interim agreement expired. If the Department has completed the study, please send the necessary data within 60 days. If the study has not been completed, please inform us as to the schedule for its completion.

Attachments

JTArmstrong:lryder:esekul (3/25/88) LLR163

STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS2125 19TH STREET
SACRAMENTO, CALIFORNIA 95818ORDER APPROVING A NEW DEVELOPMENT SCHEDULE
AND
AMENDING PERMIT

PERMIT 14810

APPLICATION 20625

WHEREAS:

1. A PETITION FOR EXTENSION OF TIME WITHIN WHICH TO DEVELOP THE PROJECT AND APPLY THE WATER TO THE PROPOSED USE HAS BEEN FILED WITH THE STATE WATER RESOURCES CONTROL BOARD.
2. IT APPEARS THAT THE PERMITTEE HAS PROCEEDED WITH DILIGENCE AND THAT GOOD CAUSE HAS BEEN SHOWN FOR EXTENSION OF TIME.
3. THE STATE WATER RESOURCES CONTROL BOARD HAS DULY AUTHORIZED THE CHIEF, DIVISION OF WATER RIGHTS, TO SIGN THIS ORDER.

NOW, THEREFORE, IT IS ORDERED THAT:

1. A NEW DEVELOPMENT SCHEDULE IS APPROVED AS FOLLOWS:

CONSTRUCTION WORK SHALL COMMENCE ON OR BEFORE	DECEMBER 1, 1975
CONSTRUCTION WORK SHALL BE COMPLETED ON OR BEFORE	DECEMBER 31, 1979
OPERATION STUDY SHALL BE COMPLETED ON OR BEFORE	MAY 27, 1980
APPLICATION OF THE WATER TO THE PROPOSED USE SHALL BE COMPLETED ON OR BEFORE	DECEMBER 1, 1983

2. PARAGRAPH 11 OF THE PERMIT BE AMENDED TO READ AS FOLLOWS: THE BOARD RETAINS JURISDICTION TO INCLUDE A TERM PROVIDING FOR MINIMUM FLOWS BELOW THE RESERVOIR FOR THE MAINTENANCE OF FISHLIFE. THE PERMITTEE SHALL CONFORM TO AN INTERIM AGREEMENT CONCERNING RELEASES FOR FISHLIFE DATED MAY 27, 1975 WITH THE DEPARTMENT OF FISH AND GAME. UPON REQUEST BY THE BOARD, THE DEPARTMENT OF FISH AND GAME SHALL SUBMIT ADDITIONAL INFORMATION TO SUPPORT A DETERMINATION OF MINIMUM FLOWS THAT WOULD BE SUFFICIENT TO MAINTAIN FISHLIFE IN THE CREEK. CONFIRMATION OF USE UNDER THIS PERMIT WILL NOT BE COMPLETED UNTIL AFTER COMPLETION OF THE OPERATION STUDIES AND AN APPROPRIATE FINAL SCHEDULE OF MINIMUM FLOWS FOR FISH MAINTENANCE IS INCLUDED IN THIS PERMIT.

DATED: JUL 9 1975

R. L. Rosenberg
R. L. ROSENBERGER, CHIEF
DIVISION OF WATER RIGHTS

STATE WATER RESOURCES CONTROL BOARD

DIVISION OF WATER RIGHTS

ROOM 1015, RESOURCES BUILDING

1416 NINTH STREET • SACRAMENTO 95814



ORDER APPROVING A NEW DEVELOPMENT SCHEDULE
AND
AMENDING PERMIT

PERMIT 14810

APPLICATION 20625

WHEREAS:

1. A PETITION FOR EXTENSION OF TIME WITHIN WHICH TO DEVELOP THE PROJECT AND APPLY THE WATER TO THE PROPOSED USE HAS BEEN FILED WITH THE STATE WATER RESOURCES CONTROL BOARD.

2. IT APPEARS THAT THE PERMITTEE HAS PROCEEDED WITH DILIGENCE AND THAT GOOD CAUSE HAS BEEN SHOWN FOR EXTENSION OF TIME.

3. THE STATE WATER RESOURCES CONTROL BOARD HAS DULY AUTHORIZED THE CHIEF, DIVISION OF WATER RIGHTS TO SIGN THIS ORDER.

NOW, THEREFORE, IT IS ORDERED THAT:

1. A NEW DEVELOPMENT SCHEDULE BE, AND IS HEREBY, APPROVED AS FOLLOWS:

PROOF OF FINANCIAL ABILITY TO PROCEED WITH CONSTRUCTION
SHALL BE PRESENTED TO THE STATE WATER RESOURCES CONTROL
BOARD ON OR BEFORE

MARCH 31, 1974

CONSTRUCTION WORK SHALL COMMENCE ON OR BEFORE

DECEMBER 1, 1974

CONSTRUCTION WORK SHALL BE COMPLETED ON OR BEFORE

DECEMBER 1, 1975

APPLICATION OF THE WATER TO THE PROPOSED USE SHALL
BE COMPLETED ON OR BEFORE

DECEMBER 1, 1982

2. PARAGRAPH 7 OF THE PERMIT BE AMENDED TO READ AS FOLLOWS: ALL RIGHTS AND PRIVILEGES UNDER THIS PERMIT AND UNDER ANY LICENSE ISSUED PURSUANT THERE-TO, INCLUDING METHOD OF DIVERSION, METHOD OF USE, AND QUANTITY OF WATER DIVERTED, ARE SUBJECT TO THE CONTINUING AUTHORITY OF THE STATE WATER RESOURCES CONTROL BOARD IN ACCORDANCE WITH LAW AND IN THE INTEREST OF THE PUBLIC WELFARE TO PREVENT WASTE, UNREASONABLE USE, UNREASONABLE METHOD OF USE, OR UNREASONABLE METHOD OF DIVERSION OF SAID WATER.

THIS CONTINUING AUTHORITY OF THE BOARD MAY BE EXERCISED BY IMPOSING SPECIFIC REQUIREMENTS OVER AND ABOVE THOSE CONTAINED IN THIS PERMIT WITH A VIEW TO MINIMIZING WASTE OF WATER AND TO MEETING THE REASONABLE WATER REQUIREMENTS OF PERMITTEE WITHOUT UNREASONABLE DRAFT ON THE SOURCE. PERMITTEE MAY BE REQUIRED TO IMPLEMENT SUCH PROGRAMS AS (1) REUSING OR RECLAIMING THE WATER ALLOCATED; (2) RESTRICTING DIVERSIONS SO AS TO ELIMINATE AGRICULTURAL TAILWATER OR TO

REDUCE RETURN FLOW; (3) SUPPRESSING EVAPORATION LOSSES FROM WATER SURFACES; (4) CONTROLLING PHREATOPHYTIC GROWTH; AND (5) INSTALLING, MAINTAINING, AND OPERATING EFFICIENT WATER MEASURING DEVICES TO ASSURE COMPLIANCE WITH THE QUANTITY LIMITATIONS OF THIS PERMIT AND TO DETERMINE ACCURATELY WATER USE AS AGAINST REASONABLE WATER REQUIREMENTS FOR THE AUTHORIZED PROJECT. NO ACTION WILL BE TAKEN PURSUANT TO THIS PARAGRAPH UNLESS THE BOARD DETERMINES, AFTER NOTICE TO AFFECTED PARTIES AND OPPORTUNITY FOR HEARING, THAT SUCH SPECIFIC REQUIREMENTS ARE PHYSICALLY AND FINANCIALLY FEASIBLE AND ARE APPROPRIATE TO THE PARTICULAR SITUATION.

3. THE QUANTITY OF WATER DIVERTED UNDER THIS PERMIT AND UNDER ANY LICENSE ISSUED PURSUANT THERETO IS SUBJECT TO MODIFICATION BY THE STATE WATER RESOURCES CONTROL BOARD, IF, AFTER NOTICE TO THE PERMITTEE AND AN OPPORTUNITY FOR HEARING, THE BOARD FINDS THAT SUCH MODIFICATION IS NECESSARY TO MEET WATER QUALITY OBJECTIVES IN WATER QUALITY CONTROL PLANS WHICH HAVE BEEN OR HEREAFTER MAY BE ESTABLISHED OR MODIFIED PURSUANT TO DIVISION 7 OF THE WATER CODE. NO ACTION WILL BE TAKEN PURSUANT TO THIS PARAGRAPH UNLESS THE BOARD FINDS THAT (1) ADEQUATE WASTE DISCHARGE REQUIREMENTS HAVE BEEN PRESCRIBED AND ARE IN EFFECT WITH RESPECT TO ALL WASTE DISCHARGES WHICH HAVE ANY SUBSTANTIAL EFFECT UPON WATER QUALITY IN THE AREA INVOLVED, AND (2) THE WATER QUALITY OBJECTIVES CANNOT BE ACHIEVED SOLELY THROUGH THE CONTROL OF WASTE DISCHARGES.

(000 0013)

DATED: SEP 25 1973

K. L. Woodward
K. L. WOODWARD, CHIEF
DIVISION OF WATER RIGHTS

STATE OF CALIFORNIA—RESOURCES AGENCY
STATE WATER RIGHTS BOARD

ORDER

APPLICATION 20625

PERMIT 14810

LICENSE _____

ORDER APPROVING A NEW DEVELOPMENT SCHEDULE

THE STATE WATER RIGHTS BOARD HAVING DETERMINED THAT GOOD CAUSE HAS BEEN SHOWN FOR EXTENSION OF TIME WITHIN WHICH TO DEVELOP THE PROJECT PROPOSED UNDER PERMIT 14810; AND HAVING DIRECTED THAT THIS ORDER BE ISSUED;

NOW THEREFORE IT IS ORDERED THAT A NEW DEVELOPMENT SCHEDULE BE AND THE SAME IS HEREBY APPROVED AS FOLLOWS:

CONSTRUCTION WORK SHALL COMMENCE ON OR BEFORE JUNE 1, 1970

CONSTRUCTION WORK SHALL BE COMPLETED ON OR BEFORE DECEMBER 1, 1971

APPLICATION OF THE WATER TO THE PROPOSED USE SHALL BE COMPLETED ON OR BEFORE DECEMBER 1, 1978

DATED: MAY 16 1967

L. K. Hill
L. K. HILL
EXECUTIVE OFFICER

[For full information concerning the filling out of this form refer to
Article 4 of Rules and Regulations Pertaining to Appropriation of Water]

STATE OF CALIFORNIA—STATE WATER RIGHTS BOARD

Application No. 20625 Filed February 21, 1962, at 2:09 P. M.
(Applicant must not fill in the above blanks)

APPLICATION TO APPROPRIATE UNAPPROPRIATED WATER

I, City of St. Helena, A Municipal Corporation
Name of applicant or applicants
of St. Helena, County of Napa
Address
State of California, do hereby make application for a permit to appropriate the
following described unappropriated waters of the State of California, *SUBJECT TO VESTED RIGHTS*:

Source, Amount, Use and Location of Diversion Works

1. The source of the proposed appropriation is Bell Creek
Give name of stream, lake, etc., if named; if unnamed state nature of source and that it is unnamed
located in Napa County, tributary to Napa River

2. The amount of water which applicant desires to appropriate under this application is as follows:

(a) For diversion to be directly applied to beneficial use _____ cubic feet per
1 cubic foot per second equals 40 statute miner's inches or 646,317 gallons per day
second, to be diverted from _____ to _____ of each year.
Beginning date Closing date

(b) For diversion to be stored and later applied to beneficial use 2000 acre-feet
1 acre-foot equals 325,851 gallons
per annum, to be collected between November 15 and April 15 of each season.
Beginning date Closing date

NOTE.—Answer (a) or (b) or both (a) and (b) as may be necessary. If amount under (a) is less than .025 cubic foot per second, state in gallons per day. Neither the amount nor the season may be increased after application is filed. If underground storage is proposed a special supplemental form will be supplied by the State Water Rights Board upon request.

3. The use to which the water is to be applied is Municipal
Domestic, irrigation, power, municipal, mining, industrial, recreational
_____ purposes.

4. The point of diversion is to be located N 51° 00 minutes E 1708.5' from the SW corner of
State bearing and distance or coordinate distances from section or quarter section corner
Section 12

being within the SW $\frac{1}{4}$ of SW $\frac{1}{4}$
State 40-acre subdivision of public land survey or projection thereof
of Section 12, T. 8N, R. 6W, M.D. B. & M., in the County of Napa

5. The main conduit terminates in SE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Sec. 26, T. 8N, R. 6W, M.D. B. & M.
State 40-acre subdivision of U. S. Government survey or projection thereof

Description of Diversion Works

NOTE.—An application cannot be approved for an amount grossly in excess of the estimated capacity of the diversion works.

6. Intake or Headworks (fill only those blanks which apply)

(a) Diversion will be made by pumping from _____
Sump, offset well, unobstructed channel, etc.

(b) Diversion will be by gravity, the diverting dam being 105 feet in height (stream bed to
level of overflow); 550 feet long on top; and constructed of earth
Concrete, earth, brush, etc.

(c) The storage dam will be 105 feet in height (stream bed to spillway level); 550 feet
long on top; have a freeboard of 10 feet, and be constructed of earth
Concrete, earth, etc.

7. Storage Reservoir Bell Canyon Reservoir
Name

The storage reservoir will flood lands in NE $\frac{1}{4}$ of SE $\frac{1}{4}$ and SE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 11 and W $\frac{1}{2}$ of Section 12
Indicate section or sections, also 40-acre subdivisions unless shown upon map T8N, R6W, MDB&M.

It will have a surface area of 104 acres, and a capacity of 3800 acre-feet. If reservoir has a
capacity of 25 acre-feet or more fill in the following: Diameter of outlet pipe _____ inches; length _____ feet;
difference in elevation from spillway level to highest point of outlet pipe _____ feet; fall in pipe _____ feet.

In case of insufficient space for answers in form, attach extra sheets at top of page 3 and cross reference.

8. Conduit System (describe main conduits only)

(a) Canal, ditch, flume: Width on top (at water line) _____ feet; width at bottom _____ feet; depth of water _____ feet; length _____ feet; grade _____ feet per 1,000 feet; materials of construction _____ Earth, rock, timber, etc.

(b) Pipe line: Diameter _____ 24 inches; length _____ 14,500 feet; grade _____ 7.9 feet per 1,000 feet; total fall _____ 115 feet; kind _____ cement lined steel _____ 1,000 feet; total lift _____ 115 feet; from intake to outlet _____

NOTE.—If a combination of different sizes or kinds of conduit is to be used, attach extra sheets with complete description, also show location of each clearly on map.

9. The estimated capacity of the diversion conduit or pumping plant proposed is _____ 5000 gallons per minute _____ State cubic feet per second or gallons per minute _____

The estimated cost of the diversion works proposed is _____ \$100,000. _____ Give only cost of intake, or headworks, pumps, storage reservoirs and main conduits described herein

Completion Schedule

10. Construction work will begin on or before _____ January 1964 _____

Construction work will be completed on or before _____ January 1965 _____

The water will be completely applied to the proposed use on or before _____ 1975 _____

Description of Proposed Use

11. Place of Use. Municipal use. City of St. Helena and surrounding area. _____ State 40-acre subdivisions of the public land survey. If area is unsurveyed indicate the location as if lines of the public land survey were projected. In the case of irrigation use state the number of acres to be irrigated in each 40-acre tract, if space permits. If space does not permit listing of all 40-acre tracts, describe area in a general way and show detail upon map.

Do(es) applicant(s) own the land whereon use of water will be made? _____ Yes or No _____

Jointly? _____ Yes or No _____

If applicant does not own land whereon use of water will be made, give name and address of owner and state what arrangements have been made with him. _____

Nature of Right (riparian, appropriative, purchased water, etc.)	Year of First Use	Use made in recent years including amount if known	Season of Use	Source of Other Supply
1.				
2.				
3.				
4.				

Attach supplement at top of page 3 if necessary.

13. Irrigation Use. The area to be irrigated is _____ acres. State net acreage to be irrigated _____

The segregation of acreage as to crops is as follows: Rice _____ acres; alfalfa _____ acres; _____

orchard _____ acres; general crops _____ acres; pasture _____ acres. _____

NOTE.—Care should be taken that the various statements as to acreage are consistent with each other, with the statement in Paragraph 11, and with the map.

The irrigation season will begin about _____ Beginning date _____ and end about _____ Closing date _____

14. Power Use. The total fall to be utilized is _____ feet. Difference between nozzle or draft tube water level and first free water surface above _____

The maximum amount of water to be used through the penstock is _____ cubic feet per second. _____

The maximum theoretical horsepower capable of being generated by the works is _____ Second feet \times fall \div 8.8 _____ horsepower.

The use to which the power is to be applied is _____ For distribution and sale or private use, etc. _____

The nature of the works by means of which power is to be developed is _____ Turbine, Pelton wheel, etc. _____

The size of the nozzle to be used is _____ inches.

The water will not be returned to _____ Name stream _____ in _____ State 40-acre subdivision _____ of _____

Sec. _____ T. _____ R. _____ B. & M. _____

15. Municipal Use. This application is made for the purpose of serving City of St. Helena and
Name city or cities, town or towns. Urban areas only
surrounding area having a present population of _____

The estimated average daily consumption during the month of maximum use at the end of each five-year period until the full amount applied for is put to beneficial use is as follows:

2,500,000 gallons per day 2,750,000 gallons per day
3,000,000

16. Mining Use. The name of the mining property to be served is _____
Name of claim
_____ and the nature of the mines is _____
Gold placer, quartz, etc.

The method of utilizing the water is _____

It is estimated that the ultimate water requirement for this project will be _____
Cubic feet per second, gallons per minute. State basis of estimate

The water ^{will} be polluted by chemicals or otherwise _____
_{will not} Explain nature of pollution, if any

and it ^{will} be returned to _____ in _____ of _____
_{will not} Name stream State 40-acre subdivision

Sec. _____, T. _____, R. _____, B. & M. _____

17. Other Uses. The nature of the use proposed is _____
Industrial, recreational, domestic, stockwatering, fish culture, etc.

State basis of determination of amount needed. _____
Number of persons, residences, area of domestic lawns and gardens, number and kind of stock, type

Industrial use, and unit requirements

General

18. Are the maps as required by the Rules and Regulations filed with Application? Yes If not, _____
Yes or No
state specifically the time required for filing same.

19. Does the applicant own the land at the proposed point of diversion? Yes If not, give name and _____
Yes or No
address of owner and state what steps have been taken to secure right of access thereto.

20. What is the name of the post office most used by those living near the proposed point of diversion?
St. Helena, California

21. What are the names and addresses of claimants of water from the source of supply below the proposed point of diversion? Unknown to applicant. See State records.

PERMIT No. 14810

This is to certify that the application of which the foregoing is a true and correct copy has been considered and approved by the State Water Rights Board SUBJECT TO VESTED RIGHTS and the following limitations and conditions:

1. The water appropriated shall be limited to the quantity which can be beneficially used and shall not exceed 2000 acre-feet per annum by storage to be collected from about November 15 of each year to about April 15 of the succeeding year.

This permit does not authorize collection of water to storage outside of the specified season to offset evaporation and seepage losses or for any other purpose.

2. The maximum quantity herein stated may be reduced in the license if investigation warrants.

3. Actual construction work shall begin on or before June 1, 1967, and shall be thereafter prosecuted with reasonable diligence, and if not so commenced and prosecuted, this permit may be revoked.

4. Said construction work shall be completed on or before December 1, 1968.

5. Complete application of the water to the proposed use shall be made on or before December 1, 1975.

6. Progress reports shall be filed promptly by permittee on forms which will be provided annually by the State Water Rights Board until license is issued.

7. All rights and privileges under this permit, including method of diversion, method of use and quantity of water diverted are subject to the continuing authority of the State Water Rights Board in accordance with law and in the interest of the public welfare to prevent waste, unreasonable use, unreasonable method of use, or unreasonable method of diversion of said water.

8. Permittee shall allow representatives of the State Water Rights Board and other parties, as may be authorized from time to time by said Board, reasonable access to project works to determine compliance with the terms of this permit.

9. In accordance with the requirements of Water Code Section 1393, permittee shall clear the site of the proposed reservoir above the present reservoir of all structures, trees, and other vegetation which would interfere with its use for water storage and recreational purposes.

10. Construction of the dam shall not be commenced until the Department of Water Resources has approved plans and specifications.

11. The Board retains jurisdiction to include a term providing for minimum flows below the reservoir for the maintenance of fishlife. Following approval of plans and specifications for the enlarged dam by the Department of Water Resources, and prior to commencement of construction, permittee shall furnish the Board with complete operation and feasibility studies. Upon request by the Board, the Department of Fish and Game shall submit additional information to show that a flow of less than 5 cfs. would not be sufficient to maintain fishlife in the creek. The term shall be included in this permit only after notice to the parties and an opportunity for further hearing.

This permit is issued and permittee takes it subject to the following provisions of the Water Code:

Section 1390. A permit shall be effective for such time as the water actually appropriated under it is used for a useful and beneficial purpose in conformity with this division (of the Water Code), but no longer.
Section 1391. Every permit shall include the enumeration of conditions therein which in substance shall include all of the provisions of this article and the statement that any appropriator of water to whom a permit is issued takes it subject to the conditions therein expressed.
Section 1392. Every permittee, if he accepts a permit, does so under the conditions precedent that no value whatsoever in excess of the actual amount paid to the State therefor shall at any time be assigned to or claimed for any permit granted or issued under the provisions of this division (of the Water Code), or for any rights granted or acquired under the provisions of this division (of the Water Code), in respect to the regulation by any competent public authority of the services or the price of the services to be rendered by any permittee or by the holder of any rights granted or acquired under the provisions of this division (of the Water Code) or in respect to any valuation for purposes of sale to or purchase, whether through condemnation proceedings or otherwise, by the State or any city, county, municipal water district, irrigation district, lighting district, or any political subdivision of the State, of the rights and property of any permittee, or the possessor of any rights granted, issued, or acquired under the provisions of this division (of the Water Code).

Dated: AUG 3 1965

STATE WATER RIGHTS BOARD

L. K. HILL
Executive Officer

